

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

LEGISLATIVE RESOLUTION 177

Introduced by Christensen, 44.

PURPOSE: A vital part of the public safety network in the State of Nebraska is wireless and landline 911 emergency telephone service. Pursuant to the Emergency Telephone Communication Systems Act, individual cities and counties are responsible for the implementation of landline 911 service in their respective areas and are permitted to impose a uniform service charge to cover costs associated with the purchase, installation, maintenance, and operation of landline 911 service.

As for wireless 911 emergency telephone service, pursuant to the Enhanced Wireless 911 Service Act, the Nebraska Public Service Commission is responsible for administering the implementation of enhanced wireless 911 service throughout the state and currently administers the Enhanced Wireless 911 Fund. Annually, the commission determines the level of surcharge to be assessed on each wireless subscriber which will be credited to the Enhanced Wireless 911 Fund for ultimate distribution to wireless carriers and public service answering points to cover eligible costs for implementing and maintaining enhanced wireless 911 service designed to locate calls coming from wireless telephones.

This study will investigate issues relating to the current mechanism utilized by the commission to allocate available

money deposited in the Enhanced Wireless 911 Fund to wireless carriers and public service answering points for reimbursement of eligible costs for implementing and maintaining the final phase of wireless 911 service mandated by the Federal Communications Commission called Phase II E-911 Service, which will permit the seamless and exact location of the wireless caller's location by longitude and latitude.

Study topics shall include, but need not be limited to, the following areas:

(1) Analysis of the mechanism currently used by the Public Service Commission to allocate and distribute funds deposited to the Enhanced Wireless 911 Fund to public service answering points and wireless carriers to recover eligible Phase II costs;

(2) Analysis of whether the mechanism currently used by the commission to allocate and distribute funds from the Enhanced Wireless 911 Fund is technologically and competitively neutral;

(3) Analysis of whether the commission's current funding mechanism is consistent with the stated intent of the Legislature to fund the E-911 costs of both public service answering points and wireless carriers;

(4) Analysis of whether the Enhanced Wireless 911 Fund has adequate funds to cover the reasonably foreseeable costs of both public service answering points and wireless carriers;

(5) Analysis of commission funding decisions regarding Phase II deployment costs of public service answering points, wireless carriers, and local exchange carriers;

(6) Analysis of commission financial reports,

projections, estimates, forecasts, and studies concerning current and future expenditures from the Enhanced Wireless 911 Fund for Phase II costs;

(7) Analysis of membership and duties of the Enhanced Wireless 911 Advisory Board, including the following:

(a) The adequacy of representation of wireless carriers on the advisory board;

(b) Scope of responsibilities delegated to the advisory board;

(c) Scope of authority of the advisory board; and

(d) Technical expertise of advisory board members; and

(8) Any other issues arising during the course of the study related to furthering access to E-911 Phase II service.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIRST LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.